

PAUL L. ALAGA, CSBN, 221165  
IAN KELLEY, CSBN 215393  
885 Bryant Street, 2<sup>nd</sup> Floor  
San Francisco, California 94103  
415-581-0885 Tel.  
415-581-0887 Fax.  
Attorneys for Le Thi Jackson dba The New Market

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LE THI JACKSON d.b.a. THE NEW MARKET, Case No. 08-02770 EDL

Plaintiff,

vs.

THE UNITED STATES OF AMERICA,  
COURTNEY L. WILKERSON, in her capacity  
as Chief of the Administrative Review Branch  
for the Department of Agriculture, AND ED  
SCHAFFER, in his capacity as the Secretary of  
Agriculture,

Defendants.

**DECLARATION OF ATTORNEY PAUL L.  
ALAGA IN SUPPORT OF REQUEST TO  
ENTER DEFAULT AGAINST  
DEFENDANTS THE UNITED STATES OF  
AMERICA, COURTNEY L. WILKERSON,  
in her capacity as Chief of the Administrative  
Review Branch for the Department of  
Agriculture, AND ED SCHAFFER, in his  
capacity as the Secretary of Agriculture**

I declare as follows:

- 1) I am an attorney duly licensed in the United States District Court for North District of California and in that capacity I represent the plaintiff, Le Ti Jackson d.b.a. The New Market.
- 2) After reviewing a proof of service executed by Ian Kelley on June 6, 2008, I am informed and believe that on June 6, 2008, Ian Kelley, an attorney and co-counsel for plaintiff served upon The United States of America, Courtney L. Wilkerson, in her capacity as Chief of the Administrative Review Branch for the Department of Agriculture, and Ed Schafer, in his capacity as the Secretary of Agriculture, a copy of the Summons, Complaint, Order Setting Initial Status Conference, Standing

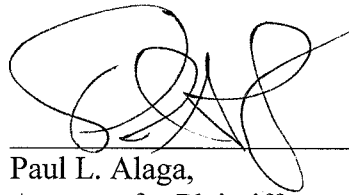
1 Order, ECF registration Information Handout, Welcome to the US District Court; ADR Booklet, and  
2 a [Blank] Case Management Statement.

3 3) Proof of said service has been filed with this court through the ECF system on June 6, 2008;  
4 Docket number 6, attached hereto as Exhibit A, Docket number 7 attached hereto as exhibit B, and  
5 Docket 8, attached hereto as Exhibit C.  
6

7 4) It has been over sixty (60) days since the defendants have been served in this matter. Each of  
8 the defendants in this matter has failed to appear.  
9

10  
11 I declare under penalty of perjury that the foregoing is true and correct.  
12

13 Dated: August 8, 2008  
14

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16 Paul L. Alaga,  
17 Attorney for Plaintiff  
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**EXHIBIT A**

1 PAUL L. ALAGA, CSBN, 221165  
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7 Attorneys for Le Thi Jackson d.b.a. The New Market

8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 LE THI JACKSON d.b.a. THE NEW MARKET, Case No. C08-02270

12 Plaintiff,

13 **PROOF OF SERVICE**

14 vs.

15 THE UNITED STATES OF AMERICA,  
16 COURTNEY L. WILKERSON, in her capacity  
17 as Chief of the Administrative Review Branch  
18 for the Department of Agriculture, AND ED  
19 SCHAFFER, in his capacity as the Secretary of  
20 Agriculture,

21 Defendants.  
22 /

23 I declare under penalty of perjury that I served:

24 The Summons, Complaint, Order Setting Initial Case Management Conference and ADR Deadlines;  
25 Standing Order; ECF Registration Information Handout; Notice of Assignment to Magistrate Judge;  
26 Welcome to US District Court; and ADR Booklet;

27 on the UNITED STATES OF AMERICA, COURTNEY L. WILKERSON, in her capacity as Chief  
28 of the Administrative Review Branch for the Department of Agriculture, AND ED SCHAFFER, in his  
29 capacity as the Secretary of Agriculture,

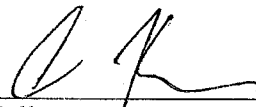
by delivering a copy of each to an agent authorized by appointment or by law to receive it whose

1 name is Maris Buchholz at the FNS Western Regional Office 90 7<sup>th</sup> Street, San Francisco.

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3 My fees are \$0.00 for travel and \$0.00 for services, for a total of \$0.00.

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5 Dated: June 6, 2008

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\_\_\_\_\_  
Ian Kelley  
885 Bryant Street, #202  
San Francisco, CA 94103

**EXHIBIT B**

1 PAUL L. ALAGA, CSBN, 221165  
2 IAN KELLEY, CSBN 215393  
3 885 Bryant Street, 2<sup>nd</sup> Floor  
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8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 LE THI JACKSON d.b.a. THE NEW MARKET, Case No. C08-02270

12 Plaintiff,

13 **PROOF OF SERVICE**

14 vs.

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18 for the Department of Agriculture, AND ED  
19 SCHAFER, in his capacity as the Secretary of  
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21 Defendants.  
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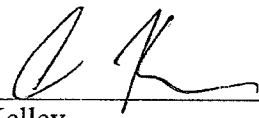
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5 Dated: June 6, 2008

8   
9 Ian Kelley  
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**EXHIBIT C**

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11 LE THI JACKSON d.b.a. THE NEW MARKET, Case No. C08-02270

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13 **PROOF OF SERVICE**

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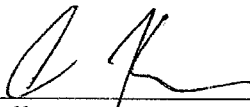
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